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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/844,048	04/27/2001	Hidekazu Nakai	7217/64308	2697

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EXAMINER

DU, THUAN N

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 09/09/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/844,048

Applicant(s)

NAKAI, HIDEKAZU

Examiner

Thuan N. Du

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-15, 17, 18, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 9, 16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Priority document (dated 4/27/01), IDS (dated 5/6/02) and Preliminary Amendment (dated 3/4/02).

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claim 21 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 20. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6, 8, 10, 11, 13-15, 17, 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa et al. [Ishikawa] (U.S. Patent No. 4,689,698) (submitted by applicant on 5/6/02).

6. Regarding claims 1 and 17, Ishikawa teaches an information processing system [Fig. 1] comprising:

a first information processing apparatus (apparatus 1) and at least a second information processing apparatus (host 15) which are connected so as to be capable of performing communication [Fig. 1; col. 4, lines 54-57, 59-62];

wherein said first information processing apparatus comprises:

a power-supply unit (main battery 10) capable of supplying internal power using at least a battery [col. 4, lines 17-20];

an information transmitter for transmitting power-supply information (power drop signal) [col. 4, lines 30-35]; and

said second information processing apparatus comprises:

a controller for performing control a predetermined operation in the information processing system based on the power-supply condition [col. 4, lines 62-64; col. 5, lines 4-12].

Ishikawa does not explicitly teach a power-supply information creation unit for creating power supply information in which predetermined information about said power-supply unit is stored. However, Ishikawa discloses a comparator which compares the voltage level of the main power supply with the reference voltage [col. 4, lines 20-30]. One of ordinary skill in the art would have recognized that it would have been obvious to store main power level value

Art Unit: 2116

(predetermined information about said power-supply unit) in the comparator in order to compare the voltage level of the main power supply with the reference voltage. Moreover, one of ordinary skill in the art could call the comparator in a different name such as power-supply information creation unit since the comparator stores predetermined information about said power-supply unit.

7. Regarding claims 2 and 3, Ishikawa teaches that the information processing system further comprises a recording and/or reproducing unit for recording data into an information recording medium and/or for reading data from the information recording medium [col. 3, line 58 to col. 4, line 16].

8. Regarding claim 4, Ishikawa teaches that the second information processing apparatus controls the operation of the first information processing apparatus based on the received power-supply information [col. 4, lines 62-64; col. 5, lines 4-12].

9. Regarding claims 5 and 22, even though not shown by Ishikawa, one of ordinary skill in the art would have recognized that it would have been obvious to use external input devices (mouse, keyboard, etc.) for inputting command by user.

10. Regarding claim 6, Ishikawa teaches that the power-supply information creation unit determines a time for which operation can be continued (when the power level of the main power supply does not drop below a predetermined threshold) [col. 4, lines 27-30].

11. Regarding claims 8 and 18, Ishikawa teaches that (in another embodiment) a warning is issued by the second information processing apparatus when a remaining battery level drops below a predetermined threshold [col. 6, lines 51-57].

12. Regarding claim 10, Ishikawa teaches an information processing apparatus comprising:
a connector for connecting with at least a second information processing apparatus so to be capable of performing communication [Fig. 1; col. 4, lines 54-57, 59-62];

a power-supply unit (main battery 10) capable of supplying internal power using at least a battery [col. 4, lines 17-20];

an information transmitter for transmitting power-supply information (power drop signal) [col. 4, lines 30-35]; and

a controller (CPU 6) capable of controlling internal operation based on received control information transmitted from said second information processing apparatus [col. 4, lines 59-65].

Ishikawa does not explicitly teach a power-supply information creation unit for creating power supply information in which predetermined information about said power-supply unit is stored. However, Ishikawa discloses a comparator which compares the voltage level of the main power supply with the reference voltage [col. 4, lines 20-30]. One of ordinary skill in the art would have recognized that it would have been obvious to store main power level value (predetermined information about said power-supply unit) in the comparator in order to compare the voltage level of the main power supply with the reference voltage. Moreover, one of ordinary skill in the art could call the comparator in a different name such as power-supply

Art Unit: 2116

information creation unit since the comparator stores predetermined information about said power-supply unit.

13. Regarding claim 11, Ishikawa teaches that the power-supply information creation unit determines a time for which operation can be continued (when the power level of the main power supply does not drop below a predetermined threshold) [col. 4, lines 27-30].

14. Regarding claim 13, Ishikawa does not explicitly teach that the predetermined information has a validity flag indicating validity/invalidity of information content thereof. However, it would have been obvious to one of ordinary skill in the art the recognized that the result of the comparison could be used as a validity flag indicating validity/invalidity of the information (sufficient/not sufficient power).

15. Regarding claim 14, Official Notice has taken that temperature sensor is well known in the art for detecting the temperature of a system. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Ishikawa to include a temperature sensor to detect the temperature of the system. The modification would increase the reliability of the system by allowing the system to take an appropriate action when the temperature of the system is detected higher than a predetermined threshold.

16. Regarding claim 15, Ishikawa teaches that the information processing apparatus further comprises a recording and/or reproducing unit for recording data into an information recording

Art Unit: 2116

medium and/or for reading data from the information recording medium [col. 3, line 58 to col. 4, line 16].

17. Claims 7 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Ishikawa et al. [Ishikawa] (U.S. Patent No. 4,689,698) and Matsuoka (U.S. Patent No. 5,944,828).

18. Regarding claims 7 and 12, Ishikawa does not explicitly teach the used-power-supply type is identified.

Matsuoka teaches that the used-power-supply type is identified to be either a battery or an AC power supply [col. 4, lines 18-24].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Ishikawa to include a detection unit to detect the used-power-supply type. The modification would increase the performance of the system by allowing the system to operate at a highest speed when the used-power-supply type is detected to be an AC power supply.

Allowable Subject Matter

19. Claims 9, 16, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2116

Conclusion

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (703) 308-6292 (after 10/14/04, (571) 272-3673). The examiner can normally be reached on Monday-Friday: 9:00 AM - 5:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159 (after 10/14/04, (571) 272-3670).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

The fax number for the organization is (703) 872-9306.



Thuan N. Du
September 4, 2004